

FIRST REGULAR SESSION

HOUSE BILL NO. 690

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HARDING, KELLY (27), BOUCHER (Co-sponsors),
HAYWOOD, HOLT, COPENHAVER, JOLLY, JOHNSON (90), MAYS (50) AND COLEMAN.

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TED WEDEL, Chief Clerk

1632L.02I

AN ACT

To repeal sections 322.010 and 578.023, RSMo 2000, relating to animals, and to enact in lieu thereof four new sections relating to the same subject, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 322.010 and 578.023, RSMo 2000, are repealed and four new
2 sections enacted in lieu thereof, to be known as sections 322.010, 322.140, 322.145 and 578.023,
3 to read as follows:

322.010. For the purpose of sections 322.010 to [322.080] **322.145**, the following words
2 and following phrases shall be considered and held to mean the following:

3 (1) "Affected with rabies" [shall mean when manifesting the principal characteristic
4 symptoms of rabies as described in the standard textbooks treating upon the diseases of domestic
5 animals], **infected with the rabies virus as determined by standard laboratory testing**;

6 (2) "Exposed to rabies" [shall mean], when bitten by, or fought with, or has come in
7 close contact with a dog [showing symptoms of rabies] **or other animal shown to be infected**
8 **with the rabies virus as determined by standard laboratory testing**;

9 (3) "Immunized" [shall mean], immunized against rabies at the expense of the owner or
10 custodian by the administration of antirabic virus by a licensed veterinarian; [and]

11 (4) "Rabies" [shall mean], hydrophobia; **and**

12 (5) **"Zoonotic disease", a dangerous disease communicable from animals to humans**
13 **as determined by the department of health.**

322.140. 1. If a county fails to adopt rules and regulations pursuant to sections

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

2 322.090 to 322.130 and an animal has bitten or otherwise possibly transmits rabies or any
3 zoonotic disease, the incident shall be immediately reported to the county health
4 department. The county health department shall immediately report the incident to the
5 department of health and shall cooperate fully with the department of health in its
6 investigation.

7 2. Upon receipt of an incident report where an animal bites or otherwise possibly
8 transmits rabies or any zoonotic disease, the department of health shall investigate the
9 incident and shall have discretion to order the animal quarantined, isolated, impounded,
10 immunized or disposed of to prevent and control rabies or zoonotic disease.

11 3. With regard to exposure to rabies or zoonotic disease, the department of health
12 shall in its investigation and issuance of its order consider the following:

13 (1) Prior vaccinations for rabies or zoonotic disease;

14 (2) The degree of exposure to rabies or zoonotic disease;

15 (3) The history and prior behavior of the animal prior to exposure;

16 (4) The availability and effectiveness of post-exposure immunization for rabies or
17 zoonotic disease;

18 (5) The willingness of the individual so exposed to submit to post-exposure
19 immunization for rabies or zoonotic disease; and

20 (6) Any other relevant information.

21 4. Any owner of an animal that bites or otherwise possibly transmits rabies or any
22 zoonotic disease who knowingly fails or refuses to comply with a lawful order of the
23 department of health declaring a quarantine, isolation, impounding, immunization or
24 disposal of an animal, or who sells, gives away, transfers, transports to another area or
25 otherwise disposes of an animal before the animal has been released by the department of
26 health is guilty of a class A misdemeanor.

27 5. The owner of an animal that bites or otherwise possibly transmits rabies or any
28 zoonotic disease shall be liable for all costs associated with the department of health's
29 investigation of the incident, including but not limited to:

30 (1) The cost to quarantine, isolate, impound, immunize or dispose of the animal;

31 (2) The cost to test the animal for rabies or zoonotic disease;

32 (3) The cost to test the exposed person for rabies or zoonotic disease; and

33 (4) The cost to treat the person exposed to rabies or zoonotic disease.

34 6. The department of health may promulgate rules concerning the classification of
35 disease as a zoonotic disease pursuant to subdivision (5) of section 322.010. No rule or
36 portion of a rule promulgated under the authority of this section shall become effective
37 unless it has been promulgated pursuant to chapter 536, RSMo.

38 **7. Any moneys collected pursuant to subsection 5 of this section for costs associated**
39 **with the department of health's investigation of the incident shall be collected by the**
40 **department of health and transferred to the department of revenue for deposit in the state**
41 **treasury to the credit of the Missouri public health services fund created in section 192.900,**
42 **RSMo.**

322.145. The owner of an animal that bites or otherwise possibly transmits rabies
2 **or any zoonotic disease shall be liable to an injured party for all damages done by the**
3 **animal.**

 578.023. 1. No person may keep any lion, tiger, leopard, ocelot, jaguar, cheetah, margay,
2 mountain lion, Canada lynx, bobcat, jaguarundi, hyena, wolf, [or] **bear, nonhuman primate,**
3 coyote, [or] any deadly, dangerous[,] or poisonous reptile, **or any deadly or dangerous reptile**
4 **over six feet long,** in any place other than a properly maintained zoological park, circus,
5 scientific, or educational institution, research laboratory, veterinary hospital, or animal refuge,
6 unless such person has registered such animals with the local law enforcement agency in the
7 county in which the animal is kept.

8 2. Any person violating the provisions of this section shall be guilty of a class C
9 misdemeanor.